

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA**

CRYSTAL GOOD, *et al.*,

Plaintiffs

v.

AMERICAN WATER WORKS COMPANY,  
*et al.*,

Defendants.

Civil Action No. 2:14-CV-01374  
Hon. John T. Copenhaver, Jr.

Consolidated with:  
Civil Action No. 2:14-CV-13164  
Civil Action No. 2:14-CV-11011  
Civil Action No. 2:14-CV-13454

**PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES, REIMBURSEMENT  
OF COSTS AND INCENTIVE AWARDS**

Plaintiffs, through Settlement Class Counsel<sup>1</sup>, hereby move pursuant to Rule 54(d)(2) of the Federal Rules of Civil Procedure, subject to the provisions of Rule 23(h), that as part of the Court's preliminary approval of the settlement, that the Court also preliminarily approve:

1. An award of attorneys' fees in the amount of thirty percent (30%) of the \$101 million guaranteed payment fund, plus 25% of amounts paid out of the contingent fund;
2. Reimbursement of expenses incurred in connection with the prosecution of this class action in the amount of \$2,377,376.93;

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<sup>1</sup> This Motion is filed by Plaintiffs on behalf of the six firms who seek to serve as Settlement Class Counsel under the Settlement Agreement filed with the Court in connection with the pending Motion for Preliminary Approval. *See* Doc. 1136 & Exhibits B, C and D thereto. The firms include previously appointed Class Counsel who seek to serve as Lead Settlement Class Counsel and the three firms who serve as Lead Counsel in the state court actions pending before the West Virginia Mass Litigation Panel who seek appointment as Settlement Class Counsel. *See id.* at p.2. The six firms are collectively hereinafter referred to as "Settlement Class Counsel" in this motion.

3. Incentive awards, paid out of the common fund, of \$15,000 each to Class Representatives Crystal Good; Melissa Johnson; Mary Lacy; Joan Green; Summer Johnson; Wendy Renee Ruiz; Kimberly Ogier; Roy J. McNeal; Georgia Hamra; Maddie Fields; Brenda Baisden, d/b/a Friendly Faces Daycare; Aladdin Restaurant, Inc.; R.G. Gunnoe Farms LLC; and Dunbar Plaza, Inc. d/b/a Dunbar Plaza Hotel; and \$10,000 each to the plaintiffs named in *In re Water Contamination Litigation*, No. 16-C-6000, pending in the Circuit Court of West Virginia for Kanawha County (the “MLP Action”): Scott Miller; Craig Cook; Ann Perrine; Joanna Gibson; Crystal Wilkinson; Krisi Ord; Nicholas Shahoup, DDS; Bar 101 LLC d/b/a Bar 101 and Ichiban; Better Foods, Inc.; and Capitol Hotels, Inc.

Attached hereto are the following Exhibits submitted in support of Plaintiffs’ Memorandum of Law in Support of Award of Attorneys’ Fees, Reimbursement of Costs and Incentive Awards:

Exhibit 1: Declaration of Van Bunch in Support of Award of Attorneys’ Fees and Reimbursement of Costs;

Exhibit 2: Declaration of Stuart Calwell in Support of Award for Attorneys’ Fees and Reimbursement of Costs;

Exhibit 3: Declaration of Kevin W. Thompson, Esq. in Support of Award for Attorneys’ Fees and Reimbursement of Costs;

Exhibit 4: Declaration of Michael Stag, Esq. in Support of Award for Attorneys’ Fees and Reimbursement of Costs;

Exhibit 5: Declaration of Mark F. Underwood, Esq. in Support of Award for Attorneys’ Fees and Reimbursement of Costs;

Exhibit 6: Declaration of James R. Moncus, III, Esquire in Support of Award for Attorneys' Fees and Reimbursement of Costs;

Exhibit 7: Declaration of P. Rodney Jackson, Esq. in Support of Award for Attorneys' Fees and Reimbursement of Costs;

Exhibit 8: Declaration of Michael J. Del Giudice in Support of Award for Attorneys' Fees and Reimbursement of Costs;

Exhibit 9: Declaration of Benjamin L. Bailey in Support of Award for Attorneys' Fees and Reimbursement of Costs;

Exhibit 10: Declaration of Anthony J. Majestro in Support of Award for Attorneys' Fees and Reimbursement of Costs; and

Exhibit 11: Declaration of Marvin W. Masters in Support of Award for Attorneys' Fees and Reimbursement of Costs.

DATED: May 8, 2017.

By Counsel,

/s/ Van Bunch

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*Settlement Class Counsel*

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**CERTIFICATE OF SERVICE**

The undersigned counsel for Plaintiffs hereby certifies that on May 8, 2017, the foregoing “Plaintiffs’ Motion for Award of Attorneys’ Fees, Reimbursement of Costs and Incentive Awards” was served on all counsel of record through the CM/ECF system which will send notification of the filing to all counsel of record.

Bonnett Fairbourn Friedman & Balint, P.C.

/s/ Van Bunch

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